Please amend the claims as indicated in the rewritten claims listed below:

Claim Amendments:

1.   (Currently amended):   A method for responding to a request to transfer an outgoing data frame from a virtual computer system to a computer network, the outgoing data frame comprising at least data to be transmitted and at least one of a layer 2 and layer 3 destination address, the virtual computer system comprising ~~one or more~~ a host platform and a plurality of virtual machines (VMs) executing as guests on [[a]] the host platform via virtualization software, the virtualization software comprising one or more layers of software interfacing between the VMs and the host platform, the virtual computer system further comprising a plurality of physical network interface cards (NICs), wherein each VM includes at least one virtual NIC, the method comprising the steps of:

obtaining access by a NIC manager to the outgoing data frame, the outgoing data frame being provided by a particular one of the VMs via the virtual NIC of the particular VM, the NIC manager being a component of the virtualization software and being enabled to access data frames provided by any of the virtual NICs of the plurality of VMs;

receiving, in the NIC manager, NIC management information related to one or more of the plurality of physical NICs;

receiving, in the NIC manager, VM-specific information related to one or more of the VMs in the virtual computer system; and

based on the NIC management information and the VM-specific information, selecting a physical NIC from the plurality of physical NICs and transferring the outgoing data frame to the computer network over the selected physical NIC, such that the outgoing data frame is generated by one of a plurality of VMs and is transferred to the computer network via the selected physical NIC of the plurality of physical NICs.

2.   (Currently amended):   The method of claim 1, in which the VM-specific information indicates an amount of network bandwidth that is allocated to the ~~one of the VMs~~ particular VM that provided the outgoing data frame.

3.   (Previously presented): The method of claim 67, in which the VM-specific information indicates an allocation to the one of the VMs that provided the outgoing data frame of an amount of network bandwidth and a decision is made not to transfer the outgoing data frame when transferring the outgoing data frame would cause the allocation of network bandwidth to be exceeded.

4.   (Currently amended): The method of claim 1, in which the VM-specific information indicates a priority of the particular [[one]] VM relative to the priorities of other ones of the VMs.

Claims 5-7   (Canceled)

8.   (Currently Amended): The method of claim 7 claim 1, wherein:

a load distribution function is used in performing the selecting of the physical NIC over which to transfer the outgoing data frame;

the one or more plurality of VMs comprises at least a first VM and a second VM and the plurality of physical NICs comprises at least a first physical NIC and a second physical NIC; and

the load distribution function substantially always routes outgoing data frames provided by the first VM over the first physical NIC as long as the first physical NIC is available, and substantially always routes outgoing data frames provided by the second VM over the second physical NIC as long as the second physical NIC is available, and routes outgoing data frames provided by the first VM over the second physical NIC if the first physical NIC is not available, and routes outgoing data frames provided by the second VM over the first physical NIC if the second physical NIC is not available.

Claims 9-13   (Canceled.)

14.   (Currently Amended): The method of claim 67 [[1]], wherein, if a decision is made not to transfer the data, a further decision is made, based on the NIC management information and the VM-specific information, whether to migrate the particular one VM to

another computer system, the method further comprising, when the further decision is to migrate the <u>particular</u> VM to the other computer system, causing the <u>particular</u> VM to be migrated to the other computer system.

Claims 15-66   (Canceled.)

67.   (Previously presented): The method of claim 1, further comprising:

deciding, based on the NIC management information and the VM-specific information, whether to transfer the outgoing data frame;

discarding the outgoing data frame if a decision is made not to transfer the outgoing data frame; and

performing the transferring of the outgoing data frame only if a decision is made to transfer the outgoing data frame.

Claims 68-70   (Canceled)

71.   (Currently amended): A method for responding to a request to transfer an outgoing data frame from a virtual computer system to a computer network, the outgoing data frame comprising at least data to be transmitted and at least one of a layer 2 and layer 3 destination address, the virtual computer system comprising ~~one or more~~ <u>a host platform and</u> <u>a plurality of</u> virtual machines (VMs) executing <u>as guests</u> on [[a]] <u>the</u> host platform via virtualization software, the virtualization software comprising one or more layers of software interfacing between the VMs and the host platform, the virtual computer system further comprising a plurality of physical network interface cards (NICs), <u>each VM including at least</u> <u>one virtual NIC,</u> the method comprising the steps of:

obtaining access by a NIC manager to the outgoing data frame, the outgoing data frame being provided by <u>a virtual NIC of a particular</u> one of the VMs, the NIC manager being a component of the virtualization software <u>and being enabled to access data frames provided</u> <u>by any of the virtual NICs of the plurality of VMs</u>;

receiving, in the NIC manager, NIC management information related to one or more of the plurality of <u>physical</u> NICs;

receiving, in the NIC manager, VM-specific information related to one or more of the VMs in the virtual computer system, the VM-specific information being at least one of an identity of the [[one]] <u>particular</u> VM that provided the outgoing data frame, a priority of the [[one]] <u>particular</u> VM that provided the outgoing data frame relative to priorities of other ones of the VMs, or an amount of network bandwidth that is allocated to the [[one]] <u>particular</u> VM that provided the outgoing dataframe and the other ones of the VMs; and

based on the NIC management information and the VM-specific information, selecting <u>physical</u> NIC from the plurality of <u>physical</u> NICs and transferring the outgoing data frame to the computer network over the selected <u>physical</u> NIC<u>, such that the outgoing data frame is generated by one of a plurality of VMs and is transferred to the computer network via the selected physical NIC of the plurality of physical NICs.</u>

72.   (Currently amended): The method of claim 71, in which the VM-specific information indicates the amount of network bandwidth that is allocated to the <u>particular VM</u> ~~one of the VMs~~ that provided the outgoing data frame.

73.   (Currently amended): The method of claim 71, in which the VM-specific information indicates the priority of the [[one]] <u>particular</u> VM relative to the priorities of the other ones of the VMs.

74.   (Currently amended): The method of claim 71, in which the NIC management information indicates which one or more of the plurality of <u>physical</u> NICs is available for the transfer of the outgoing data frame.

75.   (Currently amended): The method of claim 74, in which the NIC management information further indicates a pending data transfer load for each of the plurality of <u>physical</u> NICs that are available for the transfer of the outgoing data frame.

76.   (Canceled)

77.   (Currently amended): The method of claim <u>71</u> [[76]], wherein:

<u>a load distribution function is used in performing the selecting of the physical NIC over which to transfer the outgoing data frame</u>

the one or more VMs comprises at least a first VM and a second VM and the plurality of <u>physical</u> NICs comprises at least a first <u>physical</u> NIC and a second <u>physical</u> NIC; and

the load distribution function substantially always routes outgoing data frames provided by the first VM over the first <u>physical</u> NIC as long as the first <u>physical</u> NIC is available, and substantially always routes outgoing data frames provided by the second VM over the second <u>physical</u> NIC as long as the second <u>physical</u> NIC is available, and routes outgoing data frames provided by the first VM over the second <u>physical</u> NIC if the first <u>physical</u> NIC is not available, and routes outgoing data frames provided by the second VM over the first <u>physical</u> NIC if the second <u>physical</u> NIC is not available.

78.   (Previously presented): The method of claim 77, in which the outgoing data frames provided by the first VM are distinguished from outgoing data frames provided by the second VM by reference to a source physical address contained in a header of each outgoing data frame.

79.   (Currently amended): The method of claim 71, in which the NIC management information indicates whether a failover is occurring on one of the <u>physical</u> NICs <u>and in which the particular VM is temporarily suspended if a failover is occurring on the one of the physical NICs.</u>

80.   (Canceled)

81.   (Previously presented): The method of claim 71, further comprising:

deciding, based on the NIC management information and the VM-specific information, whether to transfer the outgoing data frame;

discarding the outgoing data frame if a decision is made not to transfer the outgoing data frame; and

performing the transferring of the outgoing data frame only if a decision is made to transfer the outgoing data frame.

82.   (Currently amended): The method of claim 81, in which the VM-specific information indicates an allocation of network bandwidth to the particular VM one of the VMs that provided the outgoing data frame of an amount of network bandwidth and [[a]] the decision is made not to transfer the outgoing data frame when transferring the outgoing data frame would cause the allocation of network bandwidth to be exceeded.

83.   (Previously presented): The method of claim 81, wherein, if a decision is made not to transfer the data, a further decision is made, based on the NIC management information and the VM-specific information, whether to suspend the one VM, the method further comprising, when the further decision is to suspend the VM, causing the VM to be suspended.

84.   (Currently amended): The method of claim 71, wherein, if a decision is made not to transfer the data, a further decision is made, based on the NIC management information and the VM-specific information, whether to migrate the [[one]] particular VM to another computer system, the method further comprising, when the further decision is to migrate the particular VM to the other computer system, causing the particular VM to be migrated to the other computer system.

85.   (Canceled)